

**CITY OF HORSESHOE BAY**  
**PLANNING AND ZONING COMMISSION**  
**NOTICE OF SPECIAL PUBLIC MEETING**

July 9, 2018

Notice is hereby given to all interested members of the public that the Horseshoe Bay Planning and Zoning Commission will hold a Special Public Meeting on Monday, July 9, 2018 in the City Council Chambers at City Hall, #1 Community Drive, Horseshoe Bay, Llano County, Texas. The Special Public Meeting will begin at 3:00 p.m. The agenda for the Special Public Meeting is to discuss and/or act on the following:

1. Call the Meeting to Order and Establish a Quorum
2. Public Comments (Those who wish to speak are asked to limit their comments to three minutes)
3. Approval of Minutes of the June 5, 2018 Regular Meeting
4. Workshop:
  - A. Presentation by Development Services Staff of Draft Future Land Use Map (FLUM) to the Subdivision Property Owners Association Boards and the Subdivision Architectural Control Committees
  - B. General Discussion about drainage and any other issues
5. Continued Discussion and possible action on a recommendation to City Council regarding Amendments to Sec. 14.02.406(j)(4) in Zones 3 and 4A Horseshoe Bay West and Horseshoe Bay Proper; Sec. 14.02.407(d) in Zone 5 Bay Country; Sec. 14.02.408(e) in Zone 6 Pecan Creek; Sec. 14.02.411(e) in Zone 9 Escondido; Sec. 14.02.412(e) in Zone 10 Siena Creek; Sec. 14.02.414(d)(10) and Sec. 14.02.414(d)(11) in Zone 12 Summit Rock; and Sec. 14.02.421(d)(1) in Zone 18 The Parks at Horseshoe Bay to allow new Conditional Uses with approval by City Council of a Conditional Use Permit and to delete auto service stations and certain other permitted uses in the C-2 Commercial classifications/City is Applicant
6. Adjournment

  
Eric W. Winter, Development Services Dir.

The Planning and Zoning Commission may go into closed session, if necessary and appropriate, pursuant to the applicable section of the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapter D, on any matter that may come before the Commission that is listed on the Agenda and for which a closed session is authorized. No final action, decision, or vote will be taken by the Commission on any subject or matter while in closed session. Any action, decision or vote will be taken by the Commission only in open meeting.



# PLANNING & ZONING COMMISSION

JULY 9, 2018

**To:** Planning & Zoning Commission  
**Thru:** Stan Farmer, City Manager  
**From:** Eric Winter, Development Services Director  
**RE:** July 9 Meeting Agenda Memo

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**Comments regarding Agenda items:**

**4. Workshop:**

A. This Workshop will be a presentation by staff of the latest revised FLUM to the POA Board members and the ACC members. Copies of the FLUM will be available before and at the meeting. The POA Presidents were informed about this meeting and the coming invitation to their Boards at the June 21 Mayor's POA Presidents Council meeting. The invitations were sent out to both groups on June 25. One POA asked if all their members could come and were informed it was only for the Board members. The P&Z still needs to determine the number and schedule for public presentations on the FLUM. This can be discussed as part of the Workshop.

B. A general discussion session is also on the Workshop agenda to allow for discussion regarding drainage and any other issues of mutual concern between the P&Z, the POA Boards and the ACCs.

- 5.** Staff has prepared a Memo regarding the CUP definitions for the three words that P&Z asked for at the last meeting – boardwalk, boutique and gateway. The Definitions information provided in the packet includes a definition for each word, which will be added to the Definitions Section in the Zoning Ordinance, and CUP Checklist information for each term as guidance for the City Council when they are considering CUP requests. Additional information will also be added to the CUP Checklist information for the previously approved conditional uses and the statement regarding commercial building design conformance in Horseshoe Bay West. An updated CUP Ordinance with the items previously approved at the May meeting is also attached. The Ordinance also includes a matrix showing the uses permitted as well as uses that currently require a CUP by Zone. Once the Commission and Council approve the new conditional uses, they will be added to the matrix.

I will be happy to answer any questions you have.



**CITY OF HORSESHOE BAY**  
**PLANNING AND ZONING COMMISSION**  
**MINUTES OF SPECIAL MEETING**

June 5, 2018

The Planning and Zoning Commission of the City of Horseshoe Bay held a Regular Meeting in the Council Chambers at City Hall, located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, on June 5, 2018, in accordance with the duly posted notice of said meeting.

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda subject and item number shown preceding the applicable paragraph.

**1. Call the Meeting to Order and Establish a Quorum:**

Chairman Neil Andrew called the meeting to order at 3:00 p.m. with a quorum of Commission Members as follows:

Present

Chairman Neil Andrew

Vice-Chairman Pat Bouchard

Commission Member Mark Hazelwood

Commission Member Brent Lane

Absent

Commission Member Edwin 'Scooter' Lofton

**2. Public Comments (Those who wish to speak are asked to limit their comments to three minutes):**

Mayor Steve Jordan, Council Member Craig Haydon, Lindsey Plante, Sarah Garrett, Sandra Moravitz, Mike Thuss and four members of the public were in attendance but did not ask to speak.

**3. Approval of Minutes of the May 1, 2018 Regular Meeting**

Mark Hazelwood made a motion to approve the May 1 meeting minutes as submitted, seconded by Brent Lane. The motion passed unanimously (4-0).

**4. Public hearing, discussion and possible action on recommendation to City Council regarding a request to rezone a 77.0 acre tract with an entrance at 3340 Hwy. 71 West from A-1 Recreational to C-3 Commercial (Summit Rock)/Phoenix Center is the applicant**

Chairman Neil Andrew called on Eric Winter to summarize the application. Chairman Neil Andrew opened the public hearing at 3:06 PM. Mike Thuss representing the Horseshoe Bay POA read a letter from the POA requesting that the Commission not act on the rezoning request until there has been a review of the impact the possible development as allowed by the C-3 zoning would have on residential utility ratepayers. Mr. Thuss was referred to Jeff Koska to request the information. Lindsey Plante, the President of the Phoenix Center Board presented a history of the Phoenix Center as it pertains to their site for the proposed Center. She stated



that the C-3 zoning is being requested for if they ever in the future decided they needed another home, that the C-3 zoning would give them maximum flexibility. She also said the C-3 zoning was for long term and disastrous changes. Their current plans include a maximum of 15 campers and support staff. Two citizens asked whether the current plans would be allowed in its current A-1 classification, to which Eric Winter responded they would. Sarah Garrett said the facility would work with a maximum of 24 children, plan to have four therapy horses and will buffer the entire site to protect surrounding properties. Brent Lane said he didn't see a compelling reason to rezone the property to C-3. Pat Bouchard said the location is right for commercial zoning. Mark Hazelwood said the proposed use will not affect water and wastewater use because it will be on well and septic. Mark Hazelwood made a motion to recommend approval of C-3 zoning to City Council, seconded by Pat Bouchard. The motion passed unanimously (4-0).

**5. Continued Discussion and possible action on a recommendation to City Council regarding Amendments to Sec. 14.02.406(j)(4) in Zones 3 and 4A Horseshoe Bay West and Horseshoe Bay Proper; Sec. 14.02.407(d) in Zone 5 Bay Country; Sec.14.02.408(e) in Zone 6 Pecan Creek; Sec. 14.02.411(e) in Zone 9 Escondido; Sec. 14.02.412(e) in Zone 10 Siena Creek; Sec. 14.02.414(d)(10) and Sec. 14.02.414(d)(11) in Zone 12 Summit Rock; and Sec. 14.02.421(d)(1) in Zone 18 The Parks at Horseshoe Bay to allow new Conditional Uses with approval by City Council of a Conditional Use Permit and to delete auto service stations in all C-2 Commercial classifications where they are currently permitted uses/City is Applicant**

The Commission discussed staff's conditional use matrix and agreed to the following:

1. Add definitions for gateway, boutique and boardwalk and bring them and the matrix to the next meeting.
2. Pat Bouchard made a motion to add recreational uses as a conditional use in the C-3 Summit Rock classification, seconded by Mark Hazelwood. The motion passed unanimously. (4-0).

**6. Discussion Workshop:**

**Continued discussion and possible action on revised Development Services Staff Draft Future Land Use Map (FLUM)**

Assistant Planner David Aldridge discussed the staff's analysis of the impacts the FLUM would have on the existing updated Zoning Map, which included 626 potential rezonings, with 75% changing to Mixed Use, and 25% from R-1 Single Family Residential to RR Rural Residential on the western side of the City. Staff also found 321 parcels that were technically in conflict with the FLUM but would probably retain their current zoning designation, and in some cases be reflected on the FLUM, with almost all of them prescribed as Single Family Residential on the FLUM, but are zoned for a different residential use, such as Garden Home, Townhouse or Multi-Family. The 15 tracts in The Parks and Summit Rock will need some partial rezoning which will probably occur when they are platted to reflect the classifications in their PD Concept Plans. Eric Winter summarized the three options he presented to the Commission regarding the FLUM:

1. Make suggestions for adjustments to the FLUM that maintain specific currently zoned areas in specific Zones.
2. Maintain all existing updated zoning designations and only change areas that have been identified as the 7 Overlay Zones.
3. Accept the DS Staff's revised FLUM.

After some discussion, Brent Lane made a motion to accept Staff's revised FLUM as presented, seconded by Pat Bouchard. The motion passed unanimously (4-0).

The Commission also asked staff to add gateways at specific locations and add a graphic example to the FLUM.

Eric Winter asked when the Commission would like to schedule a presentation of the FLUM to the POAs and ACCs in the Council Chambers. The Commission agreed to provide dates that are good to David Aldridge and have staff determine the best date.

**7. Adjournment**

Neil Andrew adjourned the meeting at 4:23 p.m.

APPROVED this 9<sup>th</sup> day of July, 2018.

**CITY OF HORSESHOE BAY, TEXAS**

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**Neil Andrew, Chairman**

**ATTEST:**

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**Eric W. Winter, Development Services Director**





## CITY OF HORSESHOE BAY PLANNING & ZONING COMMISSION

JULY 9, 2018

**To:** Planning & Zoning Commission  
**Thru:** Stan R. Farmer, City Manager  
**From:** Eric W. Winter, Development Services Director  
**RE:** An Ordinance of the City of Horseshoe Bay, Texas Amending Chapter 14 Zoning, Article 14.02 Zoning Ordinance, Section 14.02.406(j)(4) in Zone 3 Horseshoe Bay West and Zone 4A Horseshoe Bay Proper, Section 14.02.407(d) in Zone 5 Bay Country, Section 14.02.411(e) in Zone 9 Escondido, Section 14.02.412(e) in Zone 10 Siena Creek, Sections 14.02.414(d)(10) and 14.02.414(d)(11) in Zone 12 Summit Rock, and Section 14.02.421(d)(1) in Zone 18 The Parks at Horseshoe Bay by adding a list of uses for which Conditional Use Permits can be approved; and Amending Section 14.02.406(j)(1), Section 14.02.407(d), Section 14.02.411(e), Section 14.02.412(e), Section 14.02.421(d)(1), and Section 14.02.421(d)(1)(A) by eliminating specific Permitted Uses in each Zone; and Providing for Severability; Repealer; Effective Date; and Proper Notice and Meeting

At the May 1 and June 5 meetings, Commission members agreed to the following:

1. Pecan Creek – no conditional uses; no change to permitted uses
2. Horseshoe Bay West – Park/gateway, restaurant but with no rear deck, and require consistency of design between Grand Bank and new commercial development, no church/library or any other conditional use on the list; no auto parking areas, hotels/motels, auto service, wholesale uses as permitted uses.
3. Add definitions for gateway, boutique and boardwalk.
4. Add recreational uses as a conditional use in the C-3 Summit Rock classification.

Staff has attached a copy of the draft Amendment regarding conditional uses and permitted uses to be eliminated including all of the changes to date for Zones 3, 4A, 4B and 5. The Commission will need to review each of the conditional uses in the matrix from the last meeting and the attached draft and determine which of those uses, and any others you would like to add, should be included in the Ordinance Amendment that will be recommended to City Council for action at their July 17 meeting. You should also consider eliminating any of the permitted uses that you feel should not be allowed in any of the commercial zones.

**Enclosures:** Staff/Brent Lane Matrix from Last Meeting  
Draft Amendment with Changes Approved

## DEFINITIONS FOR CUP TERMS

### BOARDWALK

1. Definition - A boardwalk is a constructed pedestrian walkway along or overlooking a waterway, usually built of wood and/or stone. Boardwalks can be public or private property but are generally open for public access and enjoyment of the waterfront, and usually in conjunction with commercial, retail and multifamily residential uses. In this context the boardwalk becomes a public promenade, and should include appropriate seating, shade, lighting, landscaping, and other amenities. Other compatible uses might include performing spaces, day slips or docks, walk-up kiosks or accommodations for special events. Boardwalks can also serve as linkages between larger uses, such as connecting between a landside and peninsula development.
2. CUP Checklist information - Because of their importance to the community, boardwalk projects shall be submitted to and approved by City Council. Council shall consider appropriate scale and width of the boardwalk, materials, signage and wayfinding, public accommodations, lighting, landscaping and shade, flexibility of use, integration with other development uses, public safety, accessibility, sustainability and linkages with other elements of the waterfront.



### BOUTIQUE

1. Definition - A boutique is a small retail shop that specializes in gifts, fashionable clothes, and accessories and is generally not affiliated with a national chain. It may be associated with handcrafted or specialized products or services, including entertainment and “lifestyle” items. Boutique uses are limited small-scale commercial uses that can exist proximate to neighborhoods without adversely affecting the residential environment. An assemblage of boutiques into a village or shopping area would be considered a boutique development.
2. CUP Checklist Information - Retail sales and services are limited to the sale of the following items.:
  - (A) Antiques
  - (B) Art objects.
  - (C) Art and craft supplies.
  - (D) Books.
  - (E) Clothing.
  - (F) Decorative accessories.
  - (G) Flowers and plants.
  - (H) Handicrafts.
  - (I) Jewelry.
  - (J) Specialty foods.
  - (K) Specialty toys.



(L) Barbers, hairdressers, aestheticians and the like

(M) Home decorative accessories.

(N) Restaurants and bars limited to 1500 square feet of net floor area but excluding drive-through facilities.

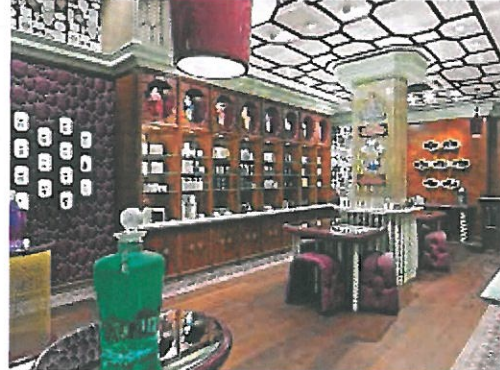
(O) Commercial uses when limited to the following:

(1) Offices, excluding clinics .

(2) Art galleries.

(3) Studios for artists, craftsmen, photographers, composers, writers and the like.

(4) Live-work space.

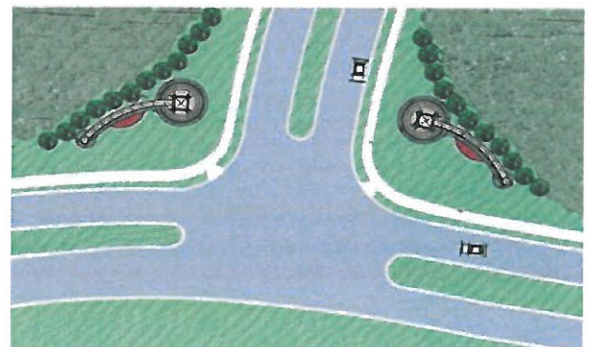
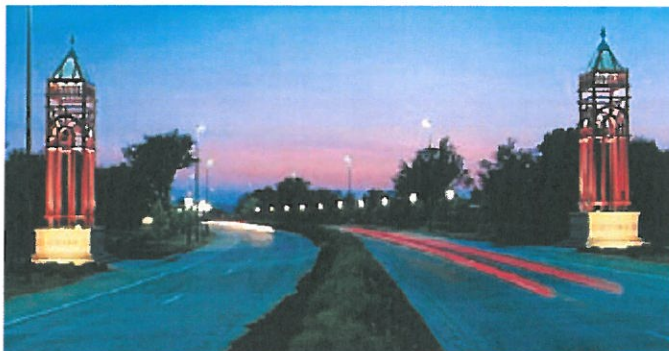


## GATEWAY

1. Definition - A Gateway is a point of visual interest that identifies an area, such as a neighborhood or subdivision, and is a welcoming point. The gateway should convey the architectural identity and character of the area that it represents, and any development should include high quality public landscape, hardscape and amenities, and superior private development of the appropriate size and scale as defined by the surrounding zoning and architectural guidelines.

A gateway area may be a combination of public and private elements. The public items would include curbs, islands, landscape, lighting, walls and signage in public rights of way. The private development would include many of the same items plus buildings, spaces and paving, all on private property.

2. CUP Checklist Information - Because of their importance to the community, gateway projects shall be submitted to and approved by City Council. Council shall consider appropriate scale and massing of the gateway area, materials, signage and wayfinding, public accommodations, lighting, landscaping, integration with other development uses, public safety, accessibility, sustainability and linkages with other elements of the area it represents.





**CITY OF HORSESHOE BAY**

**ORDINANCE NO. ORD 2018-**

**TEXT AMENDMENT TO THE ZONING ORDINANCE FOR  
CONDITIONAL USE PERMITS AND ELIMINATING CERTAIN  
PERMITTED USES IN COMMERCIAL ZONING CLASSIFICATIONS**

**AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS AMENDING CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.406(j)(4) IN ZONE 3 HORSESHOE BAY WEST AND ZONE 4A HORSESHOE BAY PROPER, SECTION 14.02.407(d) IN ZONE 5 BAY COUNTRY, SECTION 14.02.411(e) IN ZONE 9 ESCONDIDO, SECTION 14.02.412(e) IN ZONE 10 SIENA CREEK, SECTIONS 14.02.414(d)(10) AND 14.02.414(d)(11) IN ZONE 12 SUMMIT ROCK, AND SECTION 14.02.421(d)(1) IN ZONE 18 THE PARKS AT HORSESHOE BAY BY ADDING A LIST OF USES FOR WHICH CONDITIONAL USE PERMITS CAN BE APPROVED; AND AMENDING SECTION 14.02.406(j)(1), SECTION 14.02.407(d), SECTION 14.02.411(e), SECTION 14.02.412(e), SECTION 14.02.421(d)(1), AND SECTION 14.02.421(d)(1)(A) BY ELIMINATING SPECIFIC PERMITTED USES IN EACH ZONE; AND PROVIDING FOR SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING**

**WHEREAS**, the City Council of the City of Horseshoe Bay ("City Council") seeks to continue to provide for the health, safety, and welfare of those living in, working in, and visiting the City; and

**WHEREAS**, allowing specific uses as conditional uses with approval of a Conditional Use Permit is a way to permit uses that otherwise might not be compatible with other permitted uses, but which are made compatible through the requirements of specific conditions to mitigate their negative impacts, and

**WHEREAS**, Chapter 14 Zoning of the City Code of Ordinances currently allows only one Conditional Use, for a bar in Zone 3 Horseshoe Bay West and Zone 4A Horseshoe Bay Proper; and

**WHEREAS**, the City Council is of the opinion that allowing specific uses in the C-2 General Commercial Classification in all Zones that have it provides a mechanism for additional uses to be permitted which are complimentary to existing uses because of the conditions imposed by approval of a Conditional Use Permit; and

**WHEREAS**, the City Council, in the exercise of its legislative discretion has concluded that Chapter 14 Zoning of the City Code of Horseshoe Bay should be amended as herein described.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:**

**I. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**II. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.406(j)(4)**

Section 14.02.406(j)(4) is hereby amended to read as follows:

(4) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with [Part VIII Conditional Use Permits](#) (CUPs) of this article.

- (A) A bar as defined in Section 14.02.002 of this Article (4A only)
- (B) Multi-family residential
- (C) Personal storage building
- (D) Auto service station with a maximum of 8 pumps
- (E) Wireless communications tower
- (F) Park/Gateway
- (G) Restaurant with no rear deck

**III. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.407(d) ADDING NEW SUBSECTION (5)**

Section 14.02.407(d) is hereby amended to add new Subsection (5) to read as follows:

(5) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with [Part VIII Conditional Use Permits](#) (CUPs) of this article.

- (A) A bar as defined in Section 14.02.002 of this Article
- (B) Multi-family residential
- (C) Personal storage building
- (D) Auto service station with a maximum of 8 pumps
- (E) Wireless communications tower
- (F) Contractor's office – no outside storage
- (G) Contractor's temporary on-site office



- (H) Self-service storage units
- (I) Research lab – non-hazardous
- (J) Community Garden less than 1 acre
- (K) Farmer’s Market less than 1 acre
- (L) Green Plaza/Park
- (M) Pavilion
- (N) Dog/Animal Park
- (O) Biking Center
- (P) Kiosk
- (Q) Church
- (R) Library
- (S) Amphitheater
- (T) Office/Warehouse
- (U) Temporary Real Estate Sales Office for New Development
- (V) All uses allowed in the A-1 Recreational classification

**IV. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.411(e) ADDING NEW SUBSECTION (5)**

Section 14.02.411(e) is hereby amended to add new Subsection (5) to read as follows:

(5) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with [Part VIII Conditional Use Permits](#) (CUPs) of this article.

- (A) A bar as defined in Section 14.02.002 of this Article
- (B) Multi-family residential
- (C) Personal storage building
- (D) Auto service station with a maximum of 8 pumps
- (E) Wireless communications tower

- (F) Contractor's office – no outside storage
- (G) Contractor's temporary on-site office
- (H) Self-service storage units
- (I) Research lab – non-hazardous
- (J) Community Garden less than 1 acre
- (K) Farmer's Market less than 1 acre
- (L) Green Plaza/Park
- (M) Pavilion
- (N) Dog/Animal Park
- (O) Biking Center
- (P) Kiosk
- (Q) Church
- (R) Library
- (S) Amphitheater
- (T) Office/Warehouse
- (U) Temporary Real Estate Sales Office for New Development
- (V) All uses allowed in the A-1 Recreational classification

**VI. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.412(e) ADDING NEW SUBSECTION (5)**

Section 14.02.412(e) is hereby amended to add new Subsection (5) to read as follows:

(5) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with [Part VIII Conditional Use Permits](#) (CUPs) of this article.

- (A) A bar as defined in Section 14.02.002 of this Article
- (B) Multi-family residential
- (C) Personal storage building



- (D) Auto service station with a maximum of 8 pumps
- (E) Wireless communications tower
- (F) Contractor's office – no outside storage
- (G) Contractor's temporary on-site office
- (H) Self-service storage units
- (I) Research lab – non-hazardous
- (J) Community Garden less than 1 acre
- (K) Farmer's Market less than 1 acre
- (L) Green Plaza/Park
- (M) Pavilion
- (N) Dog/Animal Park
- (O) Biking Center
- (P) Kiosk
- (Q) Church
- (R) Library
- (S) Amphitheater
- (T) Office/Warehouse
- (U) Temporary Real Estate Sales Office for New Development
- (V) All uses allowed in the A-1 Recreational classification

**VII. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.414(d)(10) ADDING NEW SUBSECTION (E)**

Section 14.02.414(d)(10) is hereby amended to add new Subsection (E) to read as follows:

(E) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with [Part VIII Conditional Use Permits](#) (CUPs) of this article.

- (A) A bar as defined in Section 14.02.002 of this Article

- (B) Multi-family residential
- (C) Personal storage building
- (D) Auto service station with a maximum of 8 pumps
- (E) Wireless communications tower
- (F) Contractor's office – no outside storage
- (G) Contractor's temporary on-site office
- (H) Self-service storage units
- (I) Research lab – non-hazardous
- (J) Community Garden less than 1 acre
- (K) Farmer's Market less than 1 acre
- (L) Green Plaza/Park
- (M) Pavilion
- (N) Dog/Animal Park
- (O) Biking Center
- (P) Kiosk
- (Q) Church
- (R) Library
- (S) Amphitheater
- (T) Office/Warehouse
- (U) Temporary Real Estate Sales Office for New Development
- (V) All uses allowed in the A-1 Recreational classification

**VIII. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION  
14.02.414(d)(11) ADDING NEW SUBSECTION (J)**

Section 14.02.414(d)(11) is hereby amended to add Subsection (J) to read as follows:



(J) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with [Part VIII Conditional Use Permits](#) (CUPs) of this article.

- (A) A bar as defined in Section 14.02.002 of this Article
- (B) Multi-family residential
- (C) Personal storage building
- (D) Auto service station with a maximum of 8 pumps
- (E) Wireless communications tower
- (F) Contractor's office – no outside storage
- (G) Contractor's temporary on-site office
- (H) Self-service storage units
- (I) Research lab – non-hazardous
- (J) Community Garden less than 1 acre
- (K) Farmer's Market less than 1 acre
- (L) Green Plaza/Park
- (M) Pavilion
- (N) Dog/Animal Park
- (O) Biking Center
- (P) Kiosk
- (Q) Church
- (R) Library
- (S) Amphitheater
- (T) Office/Warehouse
- (U) Temporary Real Estate Sales Office for New Development
- (V) All uses allowed in the A-1 Recreational classification

**IX. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION  
14.02.421(d)(1) ADDING NEW SUBSECTION (F)**

Section 14.02.421(d)(1) is hereby amended to add Subsection (F) to read as follows:

(F) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with [Part VIII Conditional Use Permits](#) (CUPs) of this article.

- (A) A bar as defined in Section 14.02.002 of this Article
- (B) Multi-family residential
- (C) Personal storage building
- (D) Auto service station with a maximum of 8 pumps
- (E) Wireless communications tower
- (F) Contractor's office – no outside storage
- (G) Contractor's temporary on-site office
- (H) Self-service storage units
- (I) Research lab – non-hazardous
- (J) Community Garden less than 1 acre
- (K) Farmer's Market less than 1 acre
- (L) Green Plaza/Park
- (M) Pavilion
- (N) Dog/Animal Park
- (O) Biking Center
- (P) Kiosk
- (Q) Church
- (R) Library
- (S) Amphitheater
- (T) Office/Warehouse



(U) Temporary Real Estate Sales Office for New Development

(V) All uses allowed in the A-1 Recreational classification

**X. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.406(j)(1); SECTION 14.02.407(d); SECTION 14.02.411(e); AND SECTION 14.02.421(d)(1) ELIMINATING THE FOLLOWING PERMITTED USES**

Elimination of permitted uses. In Section 14.02.406(j)(1), Section 14.02.407(d), Section 14.02.411(e), the following permitted uses are hereby deleted:

- (A) Wholesale stores and wholesale business
- (B) Automobile parking areas;
- (C) Automotive service stations
- (G) Hotels, motels, or commercial lodging facilities (including, but not limited to, any time-share type program)

**XI. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.412(e) ELIMINATING THE FOLLOWING PERMITTED USES**

Elimination of permitted uses. In Section 14.02.412(e) the following permitted uses are hereby deleted:

- (A) Wholesale stores and wholesale business
- (B) Automobile parking areas;
- (F) Hotels, motels, or commercial lodging facilities (including, but not limited to, any time-share type program)

**XII. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.421(d)(1)(A) ELIMINATING THE FOLLOWING PERMITTED USES**

Elimination of permitted uses. In Section 14.02.421(d)(1)(A) the following permitted uses are hereby deleted:

- (i) Wholesale stores and wholesale business

**XIII. SEVERABILITY**

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

**XV. REPEALER**

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are

hereby repealed only to the extent of such conflict.

#### **XVI. EFFECTIVE DATE**

This Ordinance shall be and become effective from and after its date of passage and publication as may be required by governing law.

#### **XVII. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**ADOPTED AND APPROVED** on this 17<sup>th</sup> day of July, 2018 by a vote of the City Council of the City of Horseshoe Bay, Texas.

**CITY OF HORSESHOE BAY, TEXAS**

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**Stephen T. Jordan, Mayor**

**Attest:**

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**Kerri Craig, City Secretary**